

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

OFFICE DEPOT, INC., and
OCS ACQUISITION CORP,

Plaintiffs,

—against—

ROGER POST,

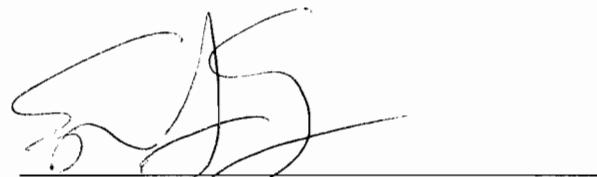
Defendant.

07 Civ. 2871
(DLC)

**NOTICE OF MOTION FOR
ADMISSION *PRO HAC VICE***

PLEASE TAKE NOTICE that, upon the annexed declaration of S. Robert Schrager, dated May 17, 2007, in support of this motion, and upon the declarations of John E. Joiner and Luba Shur, as applicants for admission *pro hac vice*, and upon the annexed certifications of good standing, the undersigned will move this Court before the Honorable Denise L. Cote, United States District Judge, at the United States Courthouse for the Southern District of New York located at 500 Pearl Street, New York, NY, 10007, pursuant to Rule 1.3 (c) of the Local Rules of the United States District Courts for the Southern and Eastern Districts of New York for an Order allowing the admission of said applicants, as attorneys *pro hac vice* to argue or try this case in whole or in part as counsel. Movant S. Robert Schrager will act as local counsel for the Applicants.

Dated: New York, New York
May 21, 2007



S. Robert Schrager (SRS0952)

HODGSON RUSS LLP

Attorneys for Plaintiffs

60 East 42nd Street

New York, New York 10165

(212) 661-3535

TO:

Matthew T. McLaughlin
Nixon Peabody LLP
437 Madison Avenue
New York, NY 10022
Attorneys for Defendant

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

**OFFICE DEPOT, INC., and
OCS ACQUISITION CORP.,**

Plaintiffs,

07 Civ. 2871
(DLC)

—against—

ROGER POST,

Defendant.

**[PROPOSED} ORDER GRANTING MOTION TO ADMIT
AS COUNSEL *PRO HAC VICE***

UPON the motion of S. Robert Schrager made pursuant to Rule 1.3 (c) of the Local Rules of the United States District Courts for the Southern and Eastern Districts of New York. to admit

John E. Joiner, Esq.
jjoiner@wc.com
Luba Shur, Esq.
lshur@wc.com
Williams & Connolly LLP
725 12th Street, N.W.
Washington, D.C. 20005
(202) 434-5000

as attorneys *pro hac vice* in this action, and the Court having considered said motion, it is hereby ORDERED that the motion is granted and that John E. Joiner and Luba Shur are hereby admitted as counsel *pro hac vice* for plaintiffs Office Depot, Inc., and OCS Acquisition Corp., in this action. S. Robert Schrager, Hodgson Russ LLP, 60 East 42nd Street, New York, New York 10165 is designated as local counsel.

All attorneys appearing before this Court are subject to the Local Rules of this Court, including the Rules governing discipline of attorneys. The attorneys shall immediately apply for an Electronic Case Filing password at nysd.uscourts.gov.

Dated: New York, New York

this day of May , 2007

U.S.D.J.

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

**OFFICE DEPOT, INC., and
OCS ACQUISITION CORP.,**

Plaintiffs,

—against—

ROGER POST,

Defendant.

07 Civ. 2871
(DLC)

**DECLARATION IN SUPPORT OF
MOTION FOR ADMISSION
*PRO HAC VICE***

S. ROBERT SCHRAGER, pursuant to 28 U.S.C. § 1746, deposes and says:

1. I am an attorney duly admitted to practice in the Southern District of New York. I am a member of Hodgson Russ LLP, attorneys for plaintiffs Office Depot, Inc., and OCS Acquisition Corp. in this action.

2. I make this declaration in support of the motion to admit *pro hac vice*

John E. Joiner, Esq.
Luba Shur, Esq.
Williams & Connolly LLP
725 12th Street, N.W.
Washington, D.C. 20005
(202) 434-5000

(the “Applicants”) for in this action.

3. As set forth in the annexed declarations of Applicants and the Exhibits thereto they are each members in good standing of their respective Bars and there are no pending disciplinary proceedings against any of the Applicants.

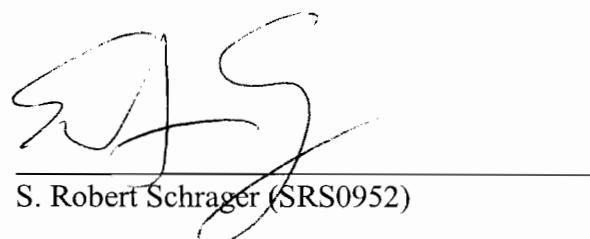
4. I agree to act as local counsel to the Applicants for admission *pro hac vice* during the pendency of this action

5. The required fee will is submitted herewith..

6. A proposed Order granting this motion is annexed hereto.
7. The attorney for the defendant has advised us that he has no objection to this motion.
8. No previous application has been made for the relief sought in this motion.

I declare under penalty of perjury that the foregoing is true and correct
WHEREFORE, it is respectfully requested that Applicants be admitted *pro hac
vice.*

Dated: New York, New York
May 17, 2007



S. Robert Schrager (SRS0952)

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

OFFICE DEPOT, INC., and
OCS ACQUISITION CORP,

Plaintiffs,

—against—

ROGER POST,

Defendant.

07 Civ. 2871
(DLC)

DECLARATION OF LUBA SHUR IN SUPPORT
OF MOTION TO BE ADMITTED PRO HAC VICE

Luba Shur, being of legal age and pursuant to 28 U.S.C. § 1746, deposes and says:

1. I am an attorney duly licensed to practice since December 7, 1998, in all courts of the District of Columbia. I am licensed to practice in Massachusetts but am on inactive status. I am also admitted to practice in the United States Court of Appeals for the Fifth Circuit, the United States Court of Appeals for the Third Circuit, the United States District Court for the District of Columbia, and the United States District Court for the District of Maryland.

2. I am currently counsel at the law firm of Williams & Connolly LLP, where I have been employed since October 4, 1999.

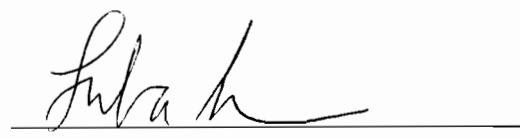
3. Attached hereto as Exhibit A is a Certificate of Good Standing issued by the District of Columbia issued by the State Bar of District of Columbia, reflecting that I am currently a member in good standing of the Bar of District of Columbia.

4. There are no pending disciplinary proceedings against me in any State or Federal Court.

5. Pursuant to the accompanying motion, I hereby request permission to appear as counsel and advocate *pro hac vice* for plaintiffs Office Depot, Inc., and OCS Acquisition Corp, in the above-captioned action.

6. S. Robert Schrager (SRS0952) of the firm of Hodgson Russ LLP, 60 East 42nd Street, New York, New York, 10165 is and shall remain local counsel in this action.

Dated: May 18, 2007



Luba Shur



District of Columbia Court of Appeals
Committee on Admissions
500 Indiana Avenue, N.W. — Room 4200
Washington, D.C. 20001
202 / 879-2710

I, GARLAND PINKSTON, JR., Clerk of the District of Columbia
Court of Appeals, do hereby certify that

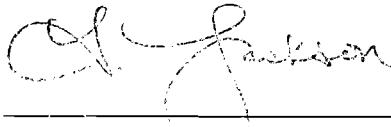
LUBA SHUR

was on the 7th day of DECEMBER, 1998

duly qualified and admitted as an attorney and counselor and
entitled to practice before this Court and is, on the date
indicated below, an active member in good standing of this Bar.

In Testimony Whereof, I have
hereunto subscribed my name
and affixed the seal of this
Court at the City of
Washington, D.C.. on May 14,
2007.

GARLAND PINKSTON, JR., CLERK

By: 
Deputy Clerk

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

**OFFICE DEPOT, INC., and
OCS ACQUISITION CORP,**

Plaintiffs,

–against–

ROGER POST,

Defendant.

07 Civ. 2871
(DLC)

**DECLARATION OF JOHN E. JOINER IN SUPPORT
OF MOTION TO BE ADMITTED PRO HAC VICE**

John E. Joiner, being of legal age and pursuant to 28 U.S.C. § 1746, deposes and says:

1. I am an attorney duly licensed to practice since 1999 in all courts in the District of Columbia. I also am licensed, since 1996, in all courts of the State of Colorado, though I currently am on inactive status. I also am admitted to practice in the United States District Courts for the District of Colorado and the District of Columbia, the United States Court of Appeals for the Tenth Circuit, and the Supreme Court of the United States

2. I am currently a partner in the law firm of Williams & Connolly LLP, where I have been employed since 1999.

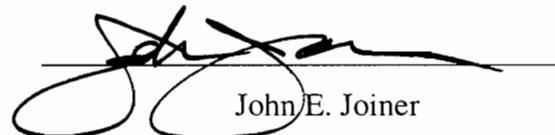
3. Attached hereto as Exhibit A is a Certificate of Good Standing issued by the District of Columbia, reflecting that I am currently an active member in good standing of the bar of the District of Columbia.

4. There are no pending disciplinary proceedings against me in any State or Federal Court.

5. Pursuant to the accompanying motion, I hereby request permission to appear as counsel and advocate *pro hac vice* for plaintiffs Office Depot, Inc., and OCS Acquisition Corp, in the above-captioned actions.

6. S. Robert Schrager (SRS0952) of the firm of Hodgson Russ LLP, 60 East 42nd Street, New York, New York, 10165 is and shall remain local counsel in this action.

Dated: May 16, 2007



John E. Joiner



District of Columbia Court of Appeals
Committee on Admissions
500 Indiana Avenue, N.W. — Room 4200
Washington, D.C. 20001
202 / 879-2710

I, GARLAND PINKSTON, JR., Clerk of the District of Columbia Court of Appeals, do hereby certify that

John E. Joiner

was on the 10th day of December, 1999

duly qualified and admitted as an attorney and counselor and entitled to practice before this Court and is, on the date indicated below, an active member in good standing of this Bar.

In Testimony Whereof, I have hereunto subscribed my name and affixed the seal of this Court at the City of Washington, D.C., on May 11, 2007.

GARLAND PINKSTON, JR., CLERK

By: *Christopher C. Joiner*
Deputy Clerk

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

OFFICE DEPOT, INC. and OCS ACQUISITION CORP.,

Plaintiffs,

V.

07 CIV. 2871 (DLC)

ROGER POST,

Defendant.

AFFIDAVIT OF SERVICE

STATE OF NEW YORK)
COUNTY OF NEW YORK) : ss.

Amy K. Hawk, duly sworn, deposes and says:

1. I am an employee with Hodgson Russ LLP.
 2. I am over the age of 18.
 3. On May 21, 2007, I served, by U.S. Mail, postage prepaid, Notice of Motion for Admission *Pro Hac Vice*, [Proposed] Order Granting Motion to Admit as counsel *Pro Hac Vice*, and the Declaration in Support of Motion for Admission *Pro Hac Vice* with attached exhibits, dated May 21, 2007 on:

Matthew T. McLaughlin
NIXON PEABODY
Attorneys for Defendant
437 Madison Avenue
New York, New York 10022

Amy K Hawk
Amy K. Hawk

Sworn to before me
this 21st day of May, 2007

the 27th day of May, 2001,


Notary Public

Melanie A. Ramos
Notary Public, State of New York
No. 012R46082490
Qualified in Bronx County
Commission Expires Oct. 28, 2010